

## PSOW Case 201900014: Update Against Agreed Recommendations

REF NO	RECOMMENDATION	TIMESCALE	STATUS
54(a)	Share this report and its findings with relevant staff in the Planning Environment and Legal Departments as well as with the Council's Planning and Development Control Committee and its Environment Overview and Scrutiny Committee	3 months	<p><b>Completed</b></p> <ul style="list-style-type: none"> <li>▪ Report has been shared with relevant staff.</li> <li>▪ Review at Planning Committee and Environment Overview and Scrutiny Committee has been scheduled for the 4<sup>th</sup> March and 20<sup>th</sup> March respectively.</li> </ul>
54(b)	Remind relevant staff at all levels within the Council of the importance of dealing with correspondence appropriately, including signposting individuals who want to raise a formal complaint to the Corporate Complaints Team	1 Month	<b>Commenced</b>
54(c)	Offer a meaningful apology, in writing, to the Landlord along with £1000 financial redress in recognition of the failings in complaints handling, and the Landlord's time and trouble pursuing the complaint for a least five years	1 Month	<b>Completed</b>
54(d)	Offer a meaningful apology, in writing, to Mr R, along with £2,500 financial redress for the failure to deal with Statutory Nuisances and in recognition of the persistent and	1 Month	<b>Completed</b>

	prolonged exposure, of Mr R, to unacceptable levels of noise and water spray for at least five years		
55(a)	Establish what powers remain available to it to resolve the issues and ensure that it fully exercises those powers as appropriate to achieve an ultimate resolution	3 Months	<p><b>Commenced and ongoing.</b></p> <p>13.12.19 Development Management and Community and Business Protection jointly served Planning Enforcement Notice and Abatement Notice. Abatement Notice require nuisance to cease immediately.</p> <p>Operator submitted Planning Enforcement Notice appeal.</p> <p>19.12.19 Equipment seized by Community and Business Protection.</p> <p>13.01.20 Owner has re-arranged the site largely abating the nuisance and meeting requirements of Planning Enforcement Notice by re-locating the jet-wash/spraying equipment.</p> <p>Current position: Community and Business Protection are preparing for prosecution on 17.03.20 with regard to seized equipment at Wrexham's Magistrates Court.</p> <p>Planning Enforcement have submitted all necessary documents to Planning Inspectorate on 13.02.20 respond to the Planning Enforcement Notice Appeal. A decision is now awaited from the Inspector.</p>

			An Enforcement Warning Notice to require the owner to regularise the re-arranged car wash facility has been served on 20.02.20 requiring the submission of a planning application.
55(b)	Review its Public Protection Enforcement Policy, to ensure that it remains relevant, effective and compliant with Welsh Government guidelines, legislation and best practice, with particular reference to Statutory Nuisances	3 Months	<b>Commenced</b>
55(c)	Develop formal procedural arrangements for cooperation between departments to improve the efficacy and efficiency of inter-departmental collaboration, with an emphasis on Planning, Legal and Environmental Health	3 Months	<b>Completed</b>
55(d)	Review the Complaints Policy to ensure it is clear who should have overall responsibility for investigating and responding to complaints, particularly where the matters concern different departments in the Council	3 Months	<b>Completed</b>
55(e)	Reflect on how the consideration of human rights can be embedded into its practice when deciding whether to take enforcement action, with particular reference to planning control and investigations into Statutory Nuisances	3 Months	<b>Commenced</b>